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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *nm* DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 8107

UNITED STATES OF AMERICA,

Plaintiff,

v.

Lorenzo Garcia-Medina

Defendant

Magistrate's Case No.:

COMPLAINT FOR VIOLATION OF

Title 21 U.S.C. § 841(a)(1)

Possession of a Controlled

Substance with Intent to

Distribute

The undersigned complainant duly sworn states:

That on or about February 4, 2008, within the Southern District of California, defendant Lorenzo Garcia-Medina did knowingly and intentionally possess with intent to distribute approximately 131.02 kilograms (288.85 pounds) of marijuana, a Schedule I Controlled Substance, in violation of Title 21 United States Code, Section 841(a)(1).

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Barbara Hopkins
Barbara Hopkins, Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence, February 5, 2008.

Peter C. Lewis
Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

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1 UNITED STATES OF AMERICA

v.

2 Lorenzo Garcia-Medina

3 Statement of Facts

4 I, Special Agent Barbara Hopkins, of the Drug Enforcement
5 Administration declare the following is true and correct:

6 On February 4, 2008, at approximately 2:15 AM, United States
7 Border Patrol Agents (USBPA) N. Dosmann, A. Dario, and R. Andrews
8 were performing their official duties as Border Patrol Agents at
9 the Highway 78 checkpoint near Palo Verde, California. At that
10 time, Agents Dosmann, Dario and Andrews observed a Chevrolet
11 Silverado, later identified as being driven by Lorenzo GARCIA-
12 Medina, pull off to the side of the road approximately one quarter
13 of a mile south of the Border Patrol checkpoint. Agent Andrews
14 observed the driver turn on and off the lights of the vehicle
15 several times.
16

17 USBPA Andrews pulled behind the vehicle at which time the
18 driver, GARCIA, exited the vehicle and walked toward Agent Andrews.
19 GARCIA presented his United States passport to USBPA Andrews. USBPA
20 Andrews requested and received permission to look inside the
21 vehicle. USBPA Andrews observed six bundles wrapped in plastic
22 underneath a blanket in the back seat. Agent Andrews also observed
23 six plastic containers in the bed of the truck each containing
24 plastic wrapped packages. Agents located a total of 12 bundles
25 wrapped in plastic with a total weight of approximately 131.02
26 kilograms of marijuana.
27

28 The plastic containers and plastic wrapped bundles were

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removed from the Silverado and taken into the checkpoint for testing. USBPA Dario performed a NIK test on one of the bundles which contained a green leafy substance. The substance tested positive for the properties of marijuana.

DEA Special Agent Victor Vazquez advised GARCIA of his rights per Miranda. GARCIA stated that he was offered \$3,000 by an individual named "Spikey" to transport marijuana in the above mentioned Chevrolet Silverado from Yuma, Arizona to Phoenix, Arizona.

At approximately 11:45 AM, SAs Hopkins and Vazquez transported GARCIA to the Imperial County jail.